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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/708,074	02/06/2004	Danny E. White JR.	SBC-0128 PA	2073
27256	7590	08/24/2005	EXAMINER	
ARTZ & ARTZ, P.C. 28333 TELEGRAPH RD. SUITE 250 SOUTHFIELD, MI 48034			SMITH, SHEILA B	
			ART UNIT	PAPER NUMBER
			2681	

DATE MAILED: 08/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/708,074	WHITE, DANNY E.	
	Examiner	Art Unit	
	Sheila B. Smith	2681	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2-6-04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Byrne (U.S. Patent Number 5,737,703).

Regarding claims 1, 3-5,10, Byrne essentially discloses all of the claimed invention as set forth in the instant application, additionally Byrne discloses multi-mode radio telephone which executes handover between different system. Byrne further discloses a system for selectively answering a telephone from a remote location, said system comprising: a stationary unit (116) connectable in line with a telephone line extending to said telephone (117), said stationary unit (116) including a ring detector circuit for activating said system upon detecting a ringing signal received over said telephone line (which reads on column 6 lines 1-9), a first antenna (228) with transmitter-receiver, a switching circuit (which reads on selector 805) for seizing said telephone line, and an enclosure for substantially housing said ring detector circuit, said first antenna (228) with transmitter-receiver, and said switching circuit; and a portable unit including a second antenna (238) with transmitter-receiver for establishing electromagnetic communication with said first antenna, an activatable switch (which reads on selector 805) for selectively triggering seizure of said telephone line in response to any said ringing signal that is detected, a microphone for transmitting verbal communications over said telephone line

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whenever said telephone line is seized, and a casing for substantially housing said second antenna with transmitter-receiver, said activatable switch (260), and said microphone (which reads on column 6 lines 44-67 and column 7 lines 1-50 and exhibited in figures 1-8).

Regarding claims 2, Byrne discloses everything claimed, as applied above (see claim 1) additionally, Byrne discloses a stationary unit is structured for being connected in line with a telephone line cord selected from the group consisting of a base cord, a line cord, and a mounting cord (which reads on column 2 lines 25-40).

Regarding claim 6, Byrne discloses everything claimed, as applied above (see claim 1) additionally, Byrne discloses a switching circuit includes at least one relay (which reads on column 2 lines 25-40).

Regarding claim 7, Byrne discloses everything claimed, as applied above (see claim 1) additionally, Byrne discloses a portable unit is cordless and structured for both retaining a self-contained power source and drawing electrical power therefrom (which reads on column 2 lines 25-40).

Regarding claim 8, Byrne discloses everything claimed, as applied above (see claim 1) additionally, Byrne discloses a self-contained power source is a battery (which reads on column 2 lines 25-40).

Regarding claim 9, Byrne discloses everything claimed, as applied above (see claim 1) additionally, Byrne discloses a portable unit includes a test circuit having a light-emitting diode for visibly indicating the existence of an electrical charge between the terminals of said battery (which reads on column 2 lines 25-40).

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Regarding claim 11, Byrne discloses everything claimed, as applied above (see claim 1) additionally, Byrne discloses a portable unit includes a speaker for receiving audible communications from a caller over said telephone line whenever said telephone line is seized (which reads on column 2 lines 25-40).

Regarding claim 12, Byrne discloses everything claimed, as applied above (see claim 1) additionally, Byrne discloses a transmitter-receiver associated with said first and second antennas is a transceiver (which reads on column 2 lines 25-40).

Regarding claim 13, Byrne discloses everything claimed, as applied above (see claim 1) additionally, Byrne discloses a electromagnetic communication is established via electromagnetic waves having frequencies encompassed within the radio frequency spectrum (which reads on column 2 lines 25-40).

Regarding claim 14, Byrne discloses everything claimed, as applied above (see claim 1) additionally, Byrne discloses a activatable switch is a push-button type switch (which reads on column 2 lines 25-40).

2. Claims 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Byrne in view of Mizikovsky (U.S. Patent Number 5,559,860).

Regarding claim 15, Byrne discloses a system for selectively answering a telephone from a remote location, said system comprising: a stationary unit connectable in line with a telephone line extending to said telephone, said stationary unit including a ring detector circuit for activating said system upon detecting a ringing signal received over said telephone line (which reads on column 6 lines 1-9), signals received over said telephone line, a first antenna with

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transmitter-receiver, a switching circuit (which reads on 805) for seizing said telephone line, and an enclosure for substantially housing said ring detector circuit, said first antenna (228) with transmitter-receiver, and said switching circuit; and a portable unit including a second antenna (238) with transmitter-receiver for establishing electromagnetic communication with said first antenna, an activatable switch (which reads on 805) for selectively triggering seizure of said telephone line in response to any said ringing signal that is detected, a microphone for transmitting verbal communications over said telephone line whenever said telephone line is seized (which reads on column 5 lines 25-50), and a casing for substantially housing said second antenna with transmitter-receiver, said viewable display, said activatable switch, and said microphone (which reads on column 5 lines 25-50). However Byrne fails to disclose a caller ID data signal processing circuit.

In the same field of endeavor, Mizikovsky discloses a user selectable response to an incoming call at a mobile station. Mizikovsky further discloses a caller ID data signal processing circuit as disclosed in column 6 lines 7-15 and exhibited in figure 1.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to improve Byrne by modifying a multi-mode radio telephone which executes handover between different system with a caller ID data signal processing circuit as taught by Mizikovsky for the purpose of advising the user of incoming information.

Regarding claim 16, Byrne discloses everything claimed, as applied above (see claim 1) additionally, Byrne discloses a viewable display is a liquid-crystal type display (which reads on column 2 lines 25-40).

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3. Claims 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Byrne in view of Tendler (U.S. Patent Number 5,598,460).

Regarding claims 17,18,20, Byrne discloses a system for selectively answering a telephone from a remote location, said system comprising: a stationary unit connectable in line with a telephone line extending to said telephone, said stationary unit including a ring detector circuit for activating said system upon detecting a ringing signal received over said telephone line, a first antenna with transmitter-receiver, a switching circuit for seizing said telephone line, , and an enclosure for substantially housing said ring detector circuit, said first antenna with transmitter-receiver, said switching circuit; and a portable unit including a second antenna with transmitter-receiver for establishing electromagnetic communication with said first antenna, a first activatable switch for selectively triggering seizure of said telephone line in response to any said ringing signal that is detected, a second activatable switch for selectively triggering seizure of said telephone line in the event of a perceived emergency, a microphone for transmitting verbal communications over said telephone line whenever said telephone line is seized, and a casing for substantially housing said second antenna with transmitter-receiver, said first activatable switch, said second activatable switch, and said microphone. However Byrne fails to disclose a autodialer.

In the same field of endeavor, Tendler discloses a emergency backup system for enhancing reliability or rescue. Tendler further discloses a autodialer (50) as disclosed in column 3 lines 47-65 and exhibited in figure 2.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to improve Byrne by modifying a multi-mode radio telephone which

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executes handover between different system with a autodialer as taught by Tendler for the purpose of ensuring the initiator of the emergency call that help is on the way.

Regarding claim 19, Byrne discloses everything claimed, as applied above (see claim 1) additionally, Byrne discloses a first activatable switch and said second activatable switch is a push-button type switch (which reads on column 2 lines 25-40).

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Conclusion

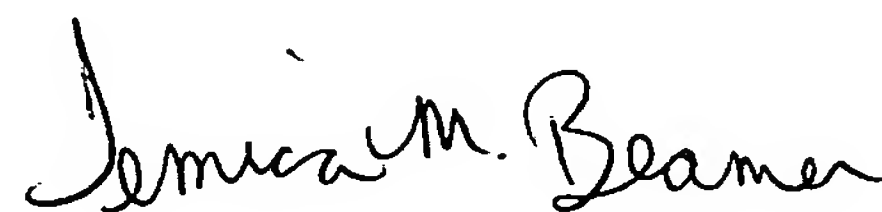
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sheila B. Smith whose telephone number is (571)272-7847. The examiner can normally be reached on Monday-Thursday 6:00 am - 3:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

S. Smith

August 22, 2005



**TEMICA BEAMER
PRIMARY EXAMINER**